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Andrew I. Gerber  
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June 25, 2008

**By Facsimile**

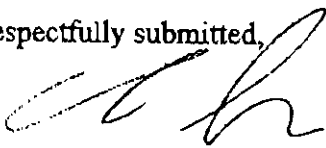
Hon. Andrew J. Peck  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 1370  
New York, NY 10007  
fax (212) 805-7933

Re: Semerdjian v. McDougal Littell, et al. 2007 Civ. 7496

Dear Judge Peck:

While we appreciate the Court's offer, we have concluded that the further investment in company resources that a settlement conference would entail would not be productive, and we respectfully decline the offer to engage in mediation on July 17, 2008.

Respectfully submitted,

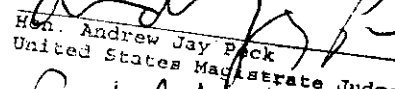
  
Andrew I. Gerber

cc: Maurice Harmon, Esq.

**MEMO ENDORSED** 6/25/08

THE 7/17 at 10:30 AM my will be  
a status conference instead of a  
settlement conference (checkered not  
ordered).

SO ORDERED.

  
Hon. Andrew Jay Peck  
United States Magistrate Judge

**BY FAX**

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933  
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**Dated:** June 25, 2008

**Total Number of Pages:** 2

TO	FAX NUMBER
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Charles S. Sims, Esq. Andrew I. Gerber, Esq.	212-969-2900

## **TRANSCRIPTION:**

**MEMO ENDORSED 6/25/08**

The 7/17 at 10:30 AM conf. will be a status conference instead of a settlement conference (clients need not attend).

**Copy to:** Judge Lawrence M. McKenna